

DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled:

“APPARATUS AND METHOD FOR PERFORMING AN OVER-THE-AIR SOFTWARE UPDATE IN A DUAL PROCESSOR MOBILE STATION”

the specification of which is attached hereto;

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability of this application as defined by Title 37, Code of Federal Regulations, § 1.56.

I hereby claim no foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate on which priority is claimed.

I hereby claim no benefit under 35 U.S.C. § 120 of any United States application(s) for patent. I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in § 1.56 which became available between the filing date of any prior application(s) and the national or PCT international filing date of this application.

I hereby appoint:

Steven J. Laureanti, Registration No. 50,274

of Samsung Telecommunications America, L.P. and

William A. Munck, Registration No. 39,308
John T. Mockler, Registration No. 39,775

of the firm of DAVIS MUNCK, P.C. my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed

thereon before any international authorities under the Patent Cooperation Treaty.

Send correspondence to: Docket Clerk
P.O. Drawer 800889
Dallas, Texas 75380

Direct telephone calls to: Docket Clerk
(972) 628-3600

Atty. Docket No.: SAMS01-00273

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under '1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of inventor: SUDHINDRA P. HERLE

Inventor's signature:



Date: JUNE 20, 2003

Residence (City, County, State): Plano, Collin County, Texas

Citizenship: India

Post Office Address: 8016 Spring Peaks Drive
Plano, Texas 75025